United Nations CRPD/C/RWA/Q/1

Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Rwanda*

A. Purpose and general obligations (arts. 1–4)

1. Please explain the measures taken to:

(a) Review national laws, especially Laws Nos. 01/2007, 02/2007 and 03/2011, and the laws relating to children Nos. 54/2000 and 27/2001, with a view to aligning them with the Convention and reflecting the human rights model of disability;

(b) Consult meaningfully with representative organizations of persons with disabilities in the development of legislation and policies, and to include the views of women and children with disabilities and persons with intellectual or psychosocial disabilities in the National Council of Persons with Disabilities;

(c) Provide support for persons with intellectual disabilities to establish and manage their own representative organizations, to gain recognition of their legal capacity to associate and to be represented within other organizations of persons with disabilities;

(d) Implement the rights recognized in the Convention, providing information on the allocation of budgets, such as for the National Programme on the Promotion of the Rights of Persons with Disabilities (2010–2019).

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please indicate the measures adopted to enforce the constitutional provision prohibiting discrimination on the grounds of disability. Please also indicate the steps taken to incorporate a definition of reasonable accommodation within the law, including the explicit recognition that the denial of reasonable accommodation constitutes disability-based discrimination. Please provide information relating to the establishment of an accessible and effective complaints mechanism for victims of discrimination.

3. Please provide information about the legal and other measures taken to prevent and address multiple and intersectional discrimination faced by persons with disabilities, particularly women and girls with disabilities, persons with intellectual or psychosocial disabilities, persons with disabilities belonging to minority communities, refugees with disabilities or persons with albinism, and indicate whether and how the State party's legislation and public policies take account of their requirements.

* Adopted by the pre-sessional working group at its tenth session (24–27 September 2018).

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Women with disabilities (art. 6)

4. Please provide information on the steps taken to develop specific indicators and collect disaggregated data on the situation of women and girls with disabilities. Please indicate the measures, including policies and programmes, to empower women and girls with disabilities.

Children with disabilities (art. 7)

5. Please indicate the practical measures taken to ensure that the desk office on children with disabilities at the National Commission for Children provides support to children with disabilities within their families and communities. Please also indicate the measures to promote inclusive alternative care in family settings, instead of institutional settings, for children with disabilities who have no parental care. Please explain the initiatives to ensure that children with disabilities enjoy their rights and to empower children with disabilities to express their views in the decisions affecting them.

Awareness-raising (art. 8)

6. Please explain the measures taken, in consultation with organizations of persons with disabilities, targeting the general public, persons with disabilities, organizations of persons with disabilities, the media, employers, health and educational professionals and community leaders to overcome entrenched gender and disability stereotypes, stigma and prejudice and to promote the human rights model of disability. Please also explain how the State party coordinates awareness-raising efforts in line with the Convention in order to cover the whole territory.

Accessibility (art. 9)

7. Please indicate the measures in place to enforce the Building Code of 2015 to ensure the accessibility of all buildings open to the public. Please also clarify the steps taken to ensure the accessibility of transport and develop standards for the accessibility of information and communication technologies. Please provide additional information on the measures taken to promote accessibility in rural areas.

Right to life (art. 10)

8. Please describe the measures adopted to tackle the attacks against, and killings of, persons with albinism and to bring the perpetrators to justice.

Situations of risk and humanitarian emergencies (art. 11)

9. Please explain the measures taken to include representative organizations of persons with disabilities in the committees and other structures responsible for disaster preparedness, management and recovery. Please indicate the steps taken to train and equip emergency response teams to assist persons with disabilities in disaster risk situations. Please also explain the measures taken to ensure that information on disaster risks and related warnings are accessible to persons with disabilities, including persons who are deaf or blind.

Equal recognition before the law (art. 12)

10. Please explain the measures to review discriminatory laws, notably the Civil Code, which deprive persons with intellectual or psychosocial disabilities of their legal capacity. Please provide information regarding plans to abolish guardianship and substituted decision-making, and to move towards supported decision-making.

Access to justice (art. 13)

11. Please describe the measures to ensure access to the justice system for all persons with disabilities, especially persons with intellectual or psychosocial disabilities. Please provide information on measures to:

(a) Increase the accessibility of the justice system, including physical access, and accessible legal aid and information, and the measures to provide procedural accommodation;

(b) Train and raise awareness among judges, lawyers, court personnel and law enforcement officers, police and other public servants on the rights of persons with disabilities, and the obligation to provide reasonable accommodation.

Liberty and security of the person (art. 14)

12. Please provide information on the measures taken to abolish, under all circumstances, any involuntary placement of persons with disabilities in the justice system or in mental health facilities on the grounds of their impairment.

Freedom from exploitation, violence and abuse (art. 16)

13. Please explain the legal and other measures adopted to:

(a) Increase the protection of women and children with disabilities, especially those with intellectual or psychosocial disabilities, from the risk of violence, abuse, exploitation and harmful practices, particularly in their homes, institutions and communities and in refugee camps;

(b) Provide the necessary protection and support services, such as accessible temporary shelters, psychological support and legal aid, to persons with disabilities who are survivors of exploitation, violence or abuse, particularly women and girls with disabilities. Please provide data on the number of reported cases of all forms of violence, including gender-based violence against women and girls with disabilities, and the number of prosecutions, convictions and sentences imposed on the perpetrators, as foreseen in Law No. 01/2007;

(c) Prohibit explicitly corporal punishment of children, including children with disabilities, in all settings.

14. Please indicate the mechanism established to prevent cases of abuse or inhuman or degrading treatment of persons with disabilities and provide the relevant data on the cases. Please explain how persons with disabilities are able to report instances of abuse, inhuman treatment or neglect in any setting.

Protecting the integrity of the person (art. 17)

15. Please explain the measures in place to:

(a) Prevent and investigate cases of forced sterilization of persons, particularly women and girls, with disabilities;

(b) Protect the integrity of persons with disabilities, especially in the context of mental health treatment and establish safeguards in this regard.

Liberty of movement and nationality (art. 18)

16. Please provide information on the measures to ensure that refugees with disabilities obtain official documentation of identification on an equal basis with other refugees, so as to facilitate their exercise of the right to liberty of movement.

Living independently and being included in the community (art. 19)

17. Please provide information on the efforts made, since the ratification of the Convention, to move away from institutional-based care to community-based care.

18. Please also provide the number and percentage of persons with disabilities, disaggregated by sex, age and impairment, still living in residential care centres, including mental health-care facilities. Please provide information on the development of support services, including personal assistance and social protection measures, to ensure the possibility of independent living within the community.

Personal mobility (art. 20)

19. Please elaborate on the measures in place to increase access to affordable mobility aids and assistive devices for persons with disabilities in the local market, particularly in rural areas. Please include information on the efforts to produce them locally and to increase local capacity for repairs and maintenance. Please provide information on the measures to ensure that persons with disabilities living in poverty also have access to affordable assistive devices.

Freedom of expression and opinion, and access to information (art. 21)

20. Please provide information on the availability of mass media and private media to persons with disabilities in accessible and usable formats, such as Braille, sign language and Easy Read. Please also provide information on the steps being taken to officially recognize Rwandan sign language in the law and to increase the number of qualified sign language interpreters.

Respect for privacy (art. 22)

21. Please provide information on the measures to enforce the constitutional provision to respect the right to privacy of persons with disabilities, particularly psychosocial disabilities, including by family members and caregivers.

Respect for home and the family (art. 23)

22. Please describe the measures taken to:

(a) Provide early and comprehensive information, services and support to families headed by persons with disabilities and to families with children with disabilities;

(b) Ensure the availability of accessible information about family planning services and sexual and reproductive health and rights;

(c) Increase awareness in the general community, the judiciary and child protection services about the rights related to family, parenthood and relationships, particularly for persons with intellectual or psychosocial disabilities. Please include data on the number and percentage of parents with a disability in contact with the child protection system and the number and percentage of children removed from parents on the basis of an impairment of the child or one or both of the parents.

Education (art. 24)

23. Please provide updated information on the progress made to transform existing segregated education services into inclusive quality education at all levels, including plans to review ministerial orders, national programmes and curricula. Please indicate whether an inclusive education policy, particularly targeting girls with disabilities and including refugees with disabilities, has been adopted or is foreseen and the timeline for its adoption and implementation.

24. Please provide information on the measures to provide the required support to students with disabilities, including students with visual or hearing impairments, throughout their student life, including in secondary and tertiary education and explain the support that is available. Please also explain the measures taken to prevent and address bullying in school against students with disabilities.

Health (art. 25)

25. Please provide updated information on the revision and approval of the Mental Health Law clarifying how such a law would uphold the State party's obligations under the Convention. Please explain the measures to ensure the right to free and informed consent of persons with disabilities, including persons with intellectual or psychosocial disabilities. Please also explain the measures to provide systematic training to health personnel on the rights of persons with disabilities.

26. Please provide information on universal health-care coverage for persons with disabilities, and access to accessible public health education and health-care services, in particular community-based health services, including HIV/AIDS and sexual and reproductive health services, in urban and remote rural areas. Please explain the measures to ensure that refugees with disabilities have access to health-care services on an equal basis with others.

Habilitation and rehabilitation (art. 26)

27. Please provide information on the measures taken to ensure that persons with disabilities, including refugees with disabilities, have access to the habilitation and rehabilitation services they require in the community. Please explain the measures taken to increase the number of rehabilitation professionals.

Work and employment (art. 27)

28. Please describe the measures taken to remove the structural barriers, including laws, that prevent persons with disabilities accessing work and employment opportunities, and to promote the employment of persons with disabilities in the public and private sectors, mainly among women with disabilities. Please elaborate on the impact and results of the two specific national employment policy programmes cited in the initial report (CRPD/C/RWA/1, para. 193). Please provide disaggregated statistics regarding the number of persons with disabilities in paid employment or self-employment in comparison with the general population.

29. Please provide details on the extent of public financial support for organizations of persons with disabilities and international development partners to promote entrepreneurship for persons with disabilities (ibid., para. 196). Please include information on the initiatives to ensure that women with disabilities, especially single mothers, have full and equal access to existing self-employment and microfinance programmes.

Adequate standard of living and social protection (art. 28)

30. Please explain the measures taken to ensure that persons with disabilities have full access to socioeconomic development programmes and are included in general social protection and poverty reduction efforts (ibid., para. 198) and whether persons with disabilities effectively contribute to the planning, implementation and monitoring of such efforts.

31. Please explain any steps taken to improve the standard of living of persons with disabilities who live at risk of poverty or below the poverty line. Please also include information on any plans to establish disability support pension schemes or a disability fund to enable persons with disabilities to earn a living in the community. Please provide information about the specific budgets allocated for disability mainstreaming at the local level, particularly in disability-mainstreaming offices at the district level.

Participation in political and public life (art. 29)

32. Please explain the measures adopted to repeal provisions in, inter alia, the electoral law that restrict the participation of persons with disabilities in election processes.

33. Please explain the measures, including specific measures, to increase the participation of women with disabilities in decision-making forums and leadership positions, particularly at the local and district levels. Please provide information on women with disabilities in the Parliament and indicate any measures to develop specific indicators and collect disaggregated data on progress to promote persons with disabilities, particularly women, in decision-making positions.

34. Please provide information on the role and participation of representative organizations of persons with disabilities in electing the two candidates with disabilities to the Chamber of Deputies.

Participation in cultural life, recreation, leisure and sport (art. 30)

35. Please explain the measures taken to increase the availability of accessible spaces of culture, sport, recreation and leisure, both in rural and urban areas.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

36. Please indicate the measures taken to improve the collection and dissemination of disaggregated data on disability, including in household surveys and in the next national census, taking into account the Convention and using the Washington Group's Short Set of Questions on Disability. Please also provide information on the steps to collect disaggregated data on the situation of children with disabilities.

International cooperation (art. 32)

37. Please indicate the measures taken to:

(a) Ensure that international development partners and national and local partners effectively consult and collaborate with persons with disabilities and their representative organizations to mainstream disability in development and poverty-reduction programmes;

(b) Ensure that persons with disabilities are fully involved in the implementation of the 2030 Agenda for Sustainable Development and its related goals;

(c) Develop programmes and projects that specifically target persons with disabilities and provide information on the percentage of the total budget allocated to them.

National implementation and monitoring (art. 33)

38. Please inform the Committee of the steps taken to establish an independent national monitoring mechanism in accordance with article 33 (2) of the Convention and its compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please also provide information on the resources allocated to enable the National Commission for Human Rights to carry out its mandate. Furthermore, please provide information on the measures taken to ensure the full involvement of organizations of persons with disabilities in monitoring activities.